



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2  
2890 WOODBRIDGE AVENUE  
EDISON, NEW JERSEY 08837

**MAY 30 2012**

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Article Number: 7005 3110 0000 5933 6434

Mr. Faisal Ahmed  
Accolade Construction Group, Inc.  
320 E. 22nd Street, Apt. 2A  
New York, New York 10010

Re: Opportunity to Show Cause for Violations of the Toxic Substances Control Act:  
Requirements for Renovation, Repair, and Painting Activities in Target Housing and  
Child-Occupied Facilities Rule

Dear Mr. Ahmed:

Based on information we have received, the United States Environmental Protection Agency (EPA) has reason to believe Accolade Construction Group Inc. has violated the requirements for Renovation, Repair, and Painting (RRP) activities in Target Housing and Child-Occupied Facilities, codified at Title 40 of the Code of Federal Regulations (C.F.R.) Part 745, Subpart E (the "RRP Rule"). The RRP Rule was promulgated to ensure that individuals are trained to conduct renovation and repair activities in a safe and proper manner, minimizing lead exposure to the public, occupants of target housing or child-occupied facilities, and the environment. EPA believes that Accolade Construction Group Inc. violated the RRP Rule during the course of September 2010 to June 2011.

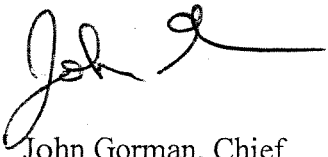
The RRP Rule requires that individuals performing renovations in target housing or child-occupied facilities become trained and certified by an EPA-accredited training provider and that they either register their firm with EPA as an "EPA-Certified Renovation Firm" or work for an "EPA-Certified Renovation Firm", in accordance with 40 C.F.R. Sections 745.90 and 89. Prior to commencing the renovation, notification of the renovation and the lead hazard information pamphlet, *The Lead-Safe Certified Guide to Renovate Right*, must be provided to the owner/occupant(s) in accordance with 40 C.F.R. Section 745.84. During the renovation, safe work practices must be followed, records must be kept which document compliance with the requirements, and following completion of the renovation, a copy of the records must be given to the owner/occupant(s) according to the provisions of 40 C.F.R. Sections 745.85 and 745.86. It is unlawful under Section 409 of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2689, for an individual or firm to violate any requirement of the RRP Rule.

Pursuant to Section 16 of TSCA, 15 U.S.C. § 2615, a violator may be subject to a civil and/or criminal penalty. Before initiating a formal enforcement action, EPA would like to give you an opportunity to meet with EPA personnel at a mutually beneficial date and time, to show cause as

to why EPA should not proceed. You have the right to be represented by legal counsel at this meeting. You and/or your representative should be prepared to provide all relevant information and documentation pertaining to the violations alleged in the enclosed Violations Summary, including all records required under 40 C.F.R. Section 745.86, and all relevant information pertaining to work conducted by sub-contractors you hired to assist with the renovations (including work orders, contracts, and contact information). A gravity-based penalty of up to \$37,500 per violation per day may be assessed for the alleged violations identified.

Please contact Theresa Bourbon at (732) 906-6873 or at [bourbon.theresa@epa.gov](mailto:bourbon.theresa@epa.gov) within twenty (20) working days of receipt of this letter to schedule a meeting to discuss this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Gorman', with a long horizontal flourish extending to the right.

John Gorman, Chief  
Pesticides and Toxic Substances Branch

Enclosure—Violations Summary

## **Violations Summary—Accolade Construction Group Inc.**

Faisal Ahmed, President  
Accolade Construction Group, Inc.  
320 West 37<sup>th</sup> Street  
New York, New York 10018

While conducting renovations for compensation in apartment 5E, apartment 11S, and common areas of 36 Gramercy Park East, New York, New York, 10003, between September 2010 and June 2011, Accolade Construction Group, Inc. failed to comply with the requirements of the RRP Rule as indicated below:

### **Information Distribution Requirements**

#### **Renovations in Dwelling Units**

Failure to provide the owner of the dwelling unit with the EPA-approved lead hazard information pamphlet pursuant to 40 C.F.R. § 745.84(a)(1).

#### **All Renovations:**

Failure by the renovation firm to post signs clearly defining the work area and to warn occupants and other persons not involved in renovation activities to remain outside of the work area; to prepare, to the extent practicable, signs in the primary language of the occupants; and to post signs before beginning the renovation and make sure they remain in place and readable until the renovation and the post-renovation cleaning verification have been completed, pursuant to 40 C.F.R. § 745.85(a)(1).

### **Renovation Firm and Individual Renovator Certification Requirements**

#### **All Renovations:**

Failure of a firm that performs renovations for compensation to obtain initial certification from EPA under 40 C.F.R. § 745.89(a), pursuant to 40 C.F.R. § 745.81(a)(2)(ii).

#### **All Renovations:**

Failure of a firm that performs renovations to ensure that individuals performing renovation on behalf of the firm are either certified renovators or have been trained by a certified renovator in accordance with 40 C.F.R. § 745.90, as required by 40 C.F.R. § 745.89(d).

### **Work Practice Standards for Residential Property Renovation**

#### **Interior Renovations:**

Failure by the renovation firm, before beginning the renovation, to close and cover all ducts opening in the work area with taped-down plastic sheeting or other impermeable material, pursuant to 40 C.F.R. § 745.85(a)(2)(i)(B).

Interior Renovations:

Failure by the renovation firm to close windows in the work area pursuant to 40 C.F.R. § 745.85(a)(2)(i)(C).

Interior Renovations:

Failure by the renovation firm to use precautions to ensure that all personnel, tools, and other items, including the exteriors of containers of waste, are free of dust and debris before leaving the work area, pursuant to 40 C.F.R. § 745.85(a)(2)(i)(E).